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Letter dated 16 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 14 December 2002 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq, concerning the violations of the demilitarized zone that were committed by United States and British warplanes in the period from 9 November to 6 December 2002, as shown in the attached table.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed **Salman**
Chargé d'affaires a.i.

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Annex to the letter dated 16 December 2002 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General

Further to our letter of 16 November 2002 (S/2002/1265, annex), I should like to inform you that in the period from 9 November to 6 December 2002 United States and British warplanes flying from bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) committed 1,141 hostile violations of our international boundaries. As shown in the table appended to this letter, the relevant Iraqi agencies have determined that the violations committed were as follows:

1. Armed and hostile aerial activity by the United States and the United Kingdom, violating our international boundaries from Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone, comprised 1,141 armed sorties in the Basrah, Muthanna, Dhi Qar, Najaf, Qadisiyah, Karbala', Maysan and Wasit governorates.

2. Our technical systems identified the aircraft violating Iraq's airspace on a daily basis as American F-14s, F-15s, F-16s and F-18s and British Tornadoes.

3. An AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace provided support to all of the United States and British aircraft that carried out armed and hostile sorties, violating Iraq's airspace by way of the demilitarized zone.

4. Between 9 November and 6 December 2002, a total of 17 remotely piloted aircraft violated Iraq's airspace from United States and British bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. One of UNIKOM's primary responsibilities is to monitor such hostile military operations and to report them and endeavour to halt them immediately.

The daily violations being committed by United States and British military aircraft with the approval of the Government of Kuwait and using facilities provided by it, together with the concomitant savage bombing of Iraqi towns and villages, are tantamount to an undeclared war. The United Nations must therefore take in their regard the measures that are required under the Charter in order to halt aggression and ensure that those committing it are made to bear international responsibility for their actions.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft are untenable in the light of the scientific and technological capabilities that are available and that it can obtain and use to fulfil the requirements of its mandate and establish the identity and nationality of the warplanes that are violating Iraq's sovereign airspace in order to take deterrent measures against the aggressors.

We urge the United Nations Secretariat to provide UNIKOM with systems capable of detecting all of the violations and identifying their source so that it can

notify the Security Council to take the necessary measures to halt these infringements forthwith.

I urge you once more to instruct UNIKOM to perform its duties in full, to report these violations to the Security Council through you as soon as they occur and to specify the number and type of United States and British warplanes that violate the demilitarized zone, contravene the Security Council resolutions establishing the zone and commit aggression against Iraq, given that this constitutes State terrorism and wanton aggression against Iraq and against its people, its sovereignty and its territorial integrity, as well as against United Nations peacekeeping operations. I also ask you to alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators are held fully accountable for it under international law and in accordance with the Security Council resolutions relating to Iraq.

I further call upon you to intervene with Kuwait and urge it to respect the demilitarized zone, honour its commitments under the Security Council resolutions establishing the zone and urging all States to respect Iraq's sovereignty, independence and territorial integrity and to halt its participation in barbaric aggression that violates Iraq's territorial integrity, destroys the property of Iraqis and has left thousands of casualties among Iraqi citizens. Because of its association with this aggression, Kuwait has international responsibilities under the Charter of the United Nations.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

Enclosure

Hostile aerial activity violating Iraq's international boundaries from Kuwait and by way of the demilitarized zone, 9 November-6 December 2002

Date	*From*	*Time*	*Type*	*Armed sorties*	*Altitude (metres)*	*Speed (km/h)*	*Areas overflown*
9 November-6 December	Kuwait	0615-2345	F-14, F-15, F-16, F-18, drone	1,141, and 17 drones	9,000-11,000	180-780	Basrah, Busayyah, Salman, Artawi, Lasaf, Ashbajah, Jalibah, Nasiriyah, Shatrah, Qal'at Salih, Amarah, Samawah, Najaf, Hayy, Diwaniyah, Hashimiyah, Kut, Nu'maniyah, Karbala', Nukhayb, Rutbah, Hillah, Talhah, Ukhaydir, Mukr al-Ni'am, Aziziyah, Razzazah, Ali al-Gharbi